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**MAR 22 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Bradbery, Eric J. : DECISION ON PETITION  
Application No. 10/604,222 : TO MAKE SPECIAL  
Filed: July 1, 2003 : 37 CFR 1.102(D)  
Attorney Docket No. P02049001 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 14, 2006, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **DISMISSED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age, must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition does comply with the above paragraph, as a copy of the applicant's driver's license was submitted as proof of age. However, a petition must be signed by:

- (1) An attorney or agent of record appointed in compliance with § 1.34(b);
- (2) A registered attorney or agent not of record who acts in a representative capacity under the provisions of § 1.34(a);
- (3) The assignee of record of the entire interest, if there is an assignee of record of the entire interest;
- (4) An assignee of record of an undivided part interest, and any assignee(s) of the remaining interest and any applicant retaining an interest, if there is an assignee of record of an undividing part interest; or
- (5) All of the applicants (§§ 1.42, 1.43 and 1.47) for patent, unless there is an assignee of record of the entire interest and such assignee has taken action in the application in accordance with §§ 3.71 and 3.73.

As the instant petition was signed and submitted by Angela Bradbery, the daughter of the applicant, it does not comply with the above.

Further correspondence with respect to this matter should be addressed as follows:

By Mail:                  Mail Stop PETITION  
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By FAX:                  (571) 273-8300

A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 2622 for action in its regular turn.



Liana Chase  
Petitions Examiner  
Office of Petitions

Cc:    ANGELA BRADBERRY  
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